

EXHIBIT 11

From: Robertson, Scott L [mailto:SRobertson@goodwinprocter.com]

Sent: Thursday, August 26, 2010 10:27 AM

To: William D Schultz

Cc: Clements, James D; Strapp, Michael; Daniel McDonald; Kirstin Stoll-DeBell; Rachel Hughey; Joshua P. Graham

Subject: Re: Preston Staats

Will,

This is simply unacceptable. What you are essentially saying is you are no longer happy with your designated expert--who you disclosed and served reports under Judge Payne's Scheduling Order--and now on the eve of trial, with no opportunity to respond, you want a "do over," never mind that was not what Lawson represented to the Court was the purpose of this request.

Further, this was not an opportunity for Lawson to "dump" its expert and replace him with another on the same prior art and same issues. I can understand why Lawson would want to do this, but I'm confident that was not what the Court was contemplating when it permitted an additional expert.

Your email also does not address the opinions of your source code employee, Mr. Knuth, on version 7. By its absence, I assume you concede the inappropriateness of such subject matter. Please let us know whether you will be withdrawing those opinions, otherwise they will be the subject of our motion, and given Ms. K Stoll-DeBell's unequivocal representation to the Court in the hearing last week that Knuth would not be addressing Version 7.0, we think sanctions should be warranted. I suggest she review the transcript on this point

Accordingly, we object. And we intend to move to strike both reports.

We should discuss an expedited briefing schedule so we can resolve this dispute by the pretrial. Of course, if you agree to withdraw the reports, this can all be avoided.

-Scott

Scott L. Robertson
Goodwin | Procter LLP
901 New York Avenue NW
Washington, D.C. 20001
202-346-4331 (direct phone)
202-346-4000 (general phone)
202-346-4444 (fax)
srobertson@goodwinprocter.com
www.goodwinprocter.com